

CATALOGING IN LEGISLATIVE REFERENCE WORK

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The state which studies the laws and experience of other states and countries in order to bring to its own statute books the best features of each, combined with the results of original work, confronts a problem of no small dimensions. The mass of laws put forth by the forty-eight states of this country is so overwhelming that it is practically impossible for one man thoroughly to comprehend their merits and disadvantages. The legislative reference library, therefore, must be of service in helping to select that which is worthy of imitation, at the same time discarding the impractical features.

The reasons for the success or failure of such laws, and the differences in economic or local conditions in two communities must always receive serious consideration by those who are endeavoring to meet the advancing economic demands for properly constructed and better laws. The comparative element of this vast accumulation of material must always be remembered, not only in the care, but also in the gathering of material, if the library is to serve its highest purpose.

Because of this and other well known characteristics of a library of this type, the demands are of a peculiar nature and cannot be met by the ordinary library material treated in the usual library method. It is more or less of a quasi-library, requiring an adaptation of library processes to a combination of office and library work. As a result of this difference, the general library rules for cataloging must be decidedly modified. One is justified in making the catalog of such a library a law unto itself, for each and every one of its class has its own particular problems, environment and limitations, which will probably be met in its own particular way.

Since the problem becomes so largely one of individuality and circumstances, it might be well to consider for a moment some of the essential differences in purpose and treatment of material, and to realize the desirable points to be attained as well as the non-essentials, or things actually to be avoided.

The processes and methods of this kind of a library must in their nature be conducive to rapidity and conciseness of service. Time saving devices are unusually important, not only in the acquisition of material and the actual technical work, but in the delivery of material. The speedy availability of the most serious treatises on the most profound subjects is absolutely necessary. Between sessions many, many hours of the most earnest and serious efforts must be spent in investigation, study and research in order to relieve the pressure of heavy research work as much as possible during the session.

The library deals with business men who are seeking an answer to some special need. They have a definite reason for seeking the information and a definite point of view and they expect the library to answer their questions in a business-like manner. Too much emphasis cannot be placed upon *efficiency* of service as shown through *rapidity* of service. The legislator is a busy man and any time saved through devices which quicken delivery of material, or shorten the time devoted by the patron himself, is well worth while. If two hours is necessary on the part of the library worker between sessions to put material into such shape that it may be delivered ten minutes sooner during the legislative session, it should be given cheerfully.

Condensations, digests, and briefs may

be prepared during the interval between sessions which will save hours of time during the actual high pressure season of the session itself. Any sort of shortcut brought about by analyticals, or any other devices known to the cataloger, should be used. Shrewdness of judgment and a general discrimination as to what is really valuable is not only highly desirable but absolutely essential.

Since time is such an important element, it might be well to call attention to the fact, that the legislative reference library may be adequately maintained without many of the records which are favored in libraries in general. Do away with as much "red tape" as possible. Simplicity of material, simplicity in service, simplicity in the whole department is to be commended above almost any other one characteristic. Among those records which can be abandoned with perfect propriety in such a department, are the accession book, gift book and withdrawal book. So much of the material is ephemeral in its value that the cost of maintenance outweighs the value received in actual results. The serial list may be exceedingly simple. Records of the number of books cataloged, or circulation statistics are of very doubtful value in this work.

Since the loss of material is inevitably rather large, an inventory is almost essential. However, material is easily replaced, much of it is free and because of this fact, a biennial inventory will prove satisfactory in most cases. There is no need of a complicated charging system. In truth, establish no records of any kind within the library until convinced that its efficiency will be hampered without them. Emphasis is put upon this point, because of the fact that all legislative reference departments have small appropriations in the beginning, and it is during this early period that the library must justify its existence by showing results in active service rather than in catalogs and records. At first there are never enough assistants to do both efficiently. Therefore, let the tendencies be toward those things which will bring into evi-

dence vital things rather than mere good housekeeping.

It might be well to state that the term "catalog" will be used in the broadest possible sense. The definition of the term as it will be used in this paper, might be given as "a record of sources and of material," and not merely a record of material to be found upon the shelves of any one library or institution.

The catalog should be kept as simple as possible in its essentials. Conciseness of title, brevity of treatment, and above all clearness, must always be borne in mind. Sacrifice library school rules if necessary. Let there be no hesitation in enlarging or changing the title if by so doing greater clearness is gained. It must be remembered always that the catalog is made not for librarians with technical knowledge, but for men whose use of it will be that of an untrained student. Let it be such that your constituency may use it without help. Be exceedingly generous with notes, never failing in the case of bills to show whether such bills became laws or failed in passage. If a bill became a law, give the citation. If reports or cases are known by special names, be sure to note that fact. Let there be no ambiguity either in title, subject or note. Annotations as to the substance of material are also highly desirable, particularly when they show whether a given article is favorable or antagonistic, or state the reliability of the author concerned.

The material itself falls into three distinct classes which influence the cataloging treatment; books, pamphlets, and clippings. The books and pamphlets show comparatively little variation from regular cataloging methods. Clippings in the Wisconsin legislative reference department are mounted upon manila sheets, eight by ten, arranged chronologically under classification number, marked with a book number Z and treated as a single pamphlet. They have no author card, being entered merely under the subject-heading necessary, with the author line left blank. This procedure is convenient in some other cases, such as

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certain extracts from the Congressional record, containing discussions in which various members take part and where it is difficult to enter under any individual or even joint authors.

Since the author phase of the catalog is of less interest than the subject phase which acquires unusual importance, secondary cards may be very largely omitted. Joint author cards are really of very little service. Series and title cards are the exception rather than the rule. Whenever possible it is advisable to make continuation cards instead of entering new compilations or new editions on separate cards. In the case of continuation cards, it is advisable to choose a brief title and pay no attention to such variations as may be given in different editions. For instance, a 1907 compilation of state tax laws might be entitled, "Laws relating to assessment and taxation," and the 1909 one simply "Taxation laws," and the 1911 one "Revenue and taxation laws." These may all be entered upon one card under the simple title, "Tax laws," and the three volumes added as continuations. In short, do not attempt to show the exact detail by means of cataloging, such as is advisable in public libraries. What your patron wishes to know is whether you have the tax laws of that state and what is the date of their compilation. These are the facts which interest him and the number of pages or the particular form of the title, is of absolutely no value to him. This is a good example of that freedom in condensation and changing of titles which is somewhat heretical in its nature, but which after all leads to that saving of time and patience which is so necessary. Use only such imprint as is absolutely essential; omitting on the whole, illustrations, maps, portraits, and plates. In cases of excerpts from periodicals the name of the magazine with the date of that particular issue is usually deemed sufficient.

Because the ordinary patron of the legislative reference library is unfamiliar with library methods, it has been found convenient to file "see also" cards at the

beginning of the subjects rather than at the end. For this same reason, the guide cards should be much more numerous than in other libraries, and it is of great advantage to have the main headings brought out upon thirds with the subdivisions of these main headings on fifths of a different color. Blue and manila form a good color contrast for such a scheme.

As has been said before, the comparative feature of this work is one which is worthy of special consideration. Its value can scarcely be over-estimated. The efficiency of the library can be greatly increased by a constant lookout for such material. Every book, pamphlet or clipping, passing through the hands of the cataloger must be most carefully reviewed, not only for its general material, but for any comparative statement which shows either conditions, laws, or tendencies in two or more communities, states, or countries. It may take form as a tabulated statement, a chapter, a paragraph, or even a mere foot-note, but at some future time it may serve as a starting point for an investigation, or give instantaneous help in the question as to "what states or countries have laws similar to this." The advisability of listing such comparative material in a separate catalog must be determined by each library. When it is buried in the regular catalog it requires much longer to answer such questions than when kept in a separate file. If made into a catalog by itself, there should always be a note showing exactly what states or countries are included in the comparison and the dates covered by such material. In other words the comparative entry must be justified either by the title or a note showing that it really is a comparison. Probably two-thirds of such material is analytical in character.

The question of analyticals will be greatly influenced by the subject matter under consideration. Upon certain subjects there are practically no book treatises, and most of the material will be found in the form of analyticals. The amount to be analyzed, the choice of form

and the relative value of the material concerned must be determined by shrewd judgment on the part of the cataloger. The entire library will be greatly enhanced by a careful selection of analyticals, but the bulk of the catalog must not be increased unless with good reason.

The percentage of analyticals will be in most cases much higher than in the ordinary library, because so often a few pages are worthy of special notice on account of their comparative nature, the particular view point of the author, or sometimes merely because of the scarcity of material on that subject. As to the cataloging form for analyticals, there is no reason why it should not follow the general rules of the library as a whole. My own preference is for the long form, because oftentimes the short form is not perfectly clear to the legislator. Although advocating simplicity, as a general thing, it should not require clearness to be sacrificed at any time. There is room for discussion on this point and there is difference of opinion, but my conclusion in the matter has been reached after some experimentation. A little more work on the part of the librarian is preferable to the slightest bit of doubt on the part of the legislator.

Since legislators are investigating specific problems, looking at them from a single point of view, and not always considering a subject in its broadest sense or in its relationship to knowledge in general, the question of subject headings, outside of classification, becomes practically the most important single proposition the cataloger has to consider. In practically every case the popular rather than the technical form of heading is desirable. The simple ordinary term should be chosen, for it is under this type of heading that your reader will be most certain to look. In his haste and absorption he fails to realize that there is any possible viewpoint, other than his own. Having but one thought in his mind, he naturally expects to find his material under this subject. Most certainly he should find at least a cross reference. Therefore, one recommendation is to be exceed-

ingly generous in the matter of cross references. Under such conditions it is always wiser not to trust one's own judgment, but to call upon various people asking under what heading they would look for material of a certain type. In this way the cataloger may secure suggestions which are unusually helpful and which put into the catalog the ideas of many persons rather than of one.

For instance, a book or pamphlet relating to the extortion practiced by usurers would be found under a heading such as "Interest" or "Usury." However, there are various other headings under which individuals might expect to find material of this kind, depending upon the particular phase of the question which he had in mind at the time. A busy man, wishing to draft a bill putting the loan shark under control, would be thinking of a loan shark and not of the underlying principle of interest. Another man approaching the question through interest in the installment plan would expect to find material of use to him under that subject. Another man taking a broader view of the subject might look under "Interest." Each of these men would be justified in looking under the particular subject he had in mind, expecting to find either the material or a reference sending him to the chosen heading. Every possible heading which suggests itself is worthy of consideration, for such an investment of time will more than pay for itself in the satisfaction it brings to those who use the catalog. The necessity for painstaking effort and careful thought in this connection is verified by experience.

Special and local names may well be noted on all main cards and cross references made in every case from such forms. For instance, the law governing the sale of stocks recently passed in Kansas, which is popularly known as the "Blue sky law" should be noted as such in the catalog. The "Mary Ann" bill may be called for by that name and if there is no cross reference in the catalog the untrained assistant in the library, or the stenographer, will never find it. The mechanical part of the catalog should be so

complete that it does not require acquaintance with all phases of the subject in order that a person may use it intelligently. Therefore, special and local names inevitably need attention.

The contents of a legislative reference library are largely of either an economic or a legal nature, and its patrons sometimes approach the material from the legal side and sometimes from the economic side. In assigning subject headings this fact must never be forgotten. Consequently, the headings will sometimes take a legal turn and sometimes an economic turn. At times it is necessary to compromise and choose one halfway between the two.

Let us consider for a moment the relationship of the economic and the legal material. Justice Holmes, in his book on the "Common law," expresses this relationship unusually well. He says in substance that the growth of the law is legislative; it is legislative in its grounds; that the secret root from which law draws all the juices of life is consideration of what is expedient for the community.

The economic necessity for law precedes the legal expression. The need for a statute is felt long before it is formulated. This is readily recognized by political economists and lawyers. Judge Dicey, in his book entitled, "Law and opinion in England," (Lond. 1905, p. 367) says: "A statute * * * is apt to reproduce the public opinion, not so much of to-day as of yesterday." Since a legislative reference library is busied with the process of law-making, rather than with the administration or interpretation of law, the trend will be toward the economic headings rather than the legal. The tendency of law is to crystallize, and subjects legal in aspect are likely to be complete in themselves, and therefore less amenable to library purposes. As an example, a subject heading such as "Eminent domain" is legal in its nature. This will be used in the main body of the catalog without a doubt. It may have cross references of both a legal and an economic nature. At the same time "Eminent domain" may be used as a sub-

division of economic headings, such as "Railroads," "Street railways," "Telegraphs," and "Telephones." This shows how the legal aspect of an economic question may be brought directly in touch with the economic phase of the question. Another example is "Liquor problem;" as it is used in the subject headings, it is an economic question, yet we use the subdivision "Illegal traffic" which includes purely a legal phase. "Discrimination," a legal term, will cross refer to some specific form under an economic heading such as "Railroads—Rebates." It is often necessary to refer from some rather popular headings to legal forms, such as "Funeral expenses, see Estates of deceased persons." Again it may be necessary to mix the two with a heading such as "Ethics—Business and professional," with cross references from legal headings, such as "Professional ethics," "Legal ethics," "Medical ethics," etc. The general conclusion reached is that there is likely to be either subdivisions or cross references back and forth from any type of heading to any other type, with one exception, namely, an economic subdivision of a legal heading. In our experience in Wisconsin, we have not found this combination of headings either necessary or advantageous. This fact but emphasizes what has already been said, that law once established, becomes permanent and fixed in character.

Geographical divisions as main headings should be used sparingly, but geographical subdivisions of subjects are very helpful. Primary election laws, road laws, tax laws, will all be more available if divided by states, not only in the classification, but in the subject heading. If clearness or rapidity of service demand subdivisions, they should be made, even though there be few cards under each subdivision.

Many helpful suggestions for subject headings and cross references may be obtained from law indexes, law encyclopedias, and the New York index of legislation.

Not only is it necessary for the cataloger to know the material which is in

the library itself, but if efficient work is to be accomplished it is decidedly necessary that material not within the four walls should be made available. Let all kinds of knowledge be at the cataloger's command, and make the mechanical devices carry as much of this burden as possible. First of all, material which is in town but which is not contained within your own library, should be noted. Statutes and session laws of all the states should be obtainable though not necessarily a part of the library itself. If a state or law library is near at hand, it is far better to rely upon them as a source of reference than to duplicate such a collection on your own shelves. Articles in law magazines, reports large in bulk, but issued only occasionally, may be noted, when not placed upon the shelves. In Wisconsin we make a distinction between material in existence within the city and that which is in existence elsewhere, such as in the Library of Congress, the John Crerar library, or near-by institutions. A manila catalog card tells us that the material may be found outside of the city, whereas by stamping the name of the library in the place of the call number on a white card, we indicate that the material is in town. Subject entries only are made for material of this sort.

There are many indexes already in existence which will supplement the catalog and call to the attention of the worker available material. One of the most valuable sources of all is found in the experts of the neighborhood. The librarian is too prone to think that all the most useful knowledge is in books or printed form. Some of the best help imaginable can be obtained from men. Every community has within its borders specialists of various types; men who have given their lifetime to the study of some particular question. Make such individuals a portion of the catalog; use them as sources. The telephone is at your command and oftentimes more valuable information can be obtained from some person within telephone call than can be gotten from hours of work with shelf material.

Furthermore, do not limit yourself to the talented man within the community, but use the expert wherever he may be found. Correspondence will often bring information to your door; mount the letters; put them with the clippings or catalog them separately; in case of urgency, telegraph. In fact, have some of the appropriation deliberately set aside for supplementing the catalog by telegrams.

A record of sources, arranged both by places and subjects is of service. Under your subject list enter the names and addresses of those who are specialists. Experts throughout the country will thus be at your command. In the geographical list, put the names of parties to whom you may apply for material relating to a given community. Suppose for instance, that your state is contemplating a Workmen's compensation law and some state where there is no legislative reference department is also considering the matter. This state passes a law on Tuesday, and on Saturday the bill of your own state is coming up for consideration. You need exact information as to which bill is passed, whether it passed with or without amendments; in fact, you must have immediate and full knowledge concerning that law. You may have within your mind some possible source, but during the stress and pressure of the legislative session such a list relieves one of the necessity of remembrance.

The catalog, through its mechanical devices, can carry this burden. The catalog is not merely a record of sources within the four walls, but must endure as a record of all possible available sources, so that time and energy given to "the living part" of the catalog, is well expended.

In addition to the sources already mentioned, there are numerous other possible indexes of value. When the bills are available in printed form, a subject index indicating the final disposition of a bill—whether killed, passed or vetoed—is of inestimable use. Such indexes for the general laws and the local and temporary laws are advantageous. A comparative

index, apart from the regular catalog, already noticed, may be mentioned again in this connection. An index of the documents of the state is also a valuable asset, since the publications of most states are rather poorly indexed and have practically no centralized list of subjects. The decisions of the attorney-generals quite often are of as much importance in law conclusions as are the decisions of the courts. They have virtually either vitalized or invalidated laws upon the statute books. In states where statute revisions are rather infrequent, statute indexes may be necessary. These indexes should be made supplementary to the regular catalog. Some of them may be carried along as side issues at the same time as the regular work, and others may be taken up in their entirety to be accomplished as time permits.

Since the importance and value of such a library depends, not upon the quantity, but upon the quality and efficiency of the collection, the disposition of material which has become historical in its nature comes prominently into the foreground. Unless there is constant supervision and reduction, there is an unnecessary and useless accumulation. The working library will never be a large one. After a state policy relating to a given question is established, the library should, within a reasonable time, dispose of the larger portion of the collection on that subject. Its present usefulness from the legislator's standpoint is over. Its future value is as a historical contribution. As a result, there will be continual withdrawals as well as continual acquisitions.

After all, that which makes library

work so stimulating and so interesting is the human element. The progress which one may make in its mechanical side, the service of all its books and pamphlets, the importance and the value of the material, depend primarily upon the human side of it. The mere fact that the scholar, as well as the man with a hobby, the student along with the crank, the conservative together with the radical, the theoretical and the practical man, are all brought together in a common place, shows that the mechanical is truly the lesser value in this field of work. However, it is in the making of a more perfect apparatus, in the saving of time and energy, in the additions to its efficiency, that the cataloger receives his reward. The possibilities of this work are so far reaching, that every reasonable device or idea is at least worthy of trial so that there may be every possible advancement in every practical direction. It is a new work and there are few guide posts. We cannot accept other experiences unquestionably. What are virtues in another library may be vices in the legislative reference work. What we most need is a safe and sane balance of judgment, quickness of perception, a sense of foresight, combined with all the special knowledge possible, great discrimination, initiative and the ability to meet any situation, and above all, the disposition to test every new conception or suggestion which may lead to development; in fact, the more of these virtues which the cataloger may possess, the more efficient will be the result, not only in the catalog itself, but in the net results shown by the work in its entirety.



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